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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

Report of the Secretary-General

Summary

The present report is submitted in accordance with General Assembly resolution 72/176 and contains information on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in that resolution.

* A/73/50.

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I. Introduction

1. The present report is submitted pursuant to resolution General Assembly 72/176, in which the Assembly requested the Secretary-General to submit to it at its seventy-third session a report that included information provided by the United Nations High Commissioner for Human Rights on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in the resolution.

2. In its resolution 34/32, the Human Rights Council requested the High Commissioner to prepare and submit to it at its thirty-seventh session a comprehensive follow-up report with elaborated conclusions based upon information provided by States on the efforts and measures taken for the implementation of the action plan outlined in paragraphs 7 and 8 of the resolution and views on potential follow-up measures for further improvement of the implementation of that plan.

3. Pursuant to that request, the Office of the United Nations High Commissioner for Human Rights (OHCHR) submitted a report (A/HRC/37/44) to the Human Rights Council at its thirty-seventh session. The report was based on replies received from 20 States[1] to a note verbale sent by OHCHR. It was largely drafted around the specified points of the action plan outlined in paragraphs 7 and 8 of Human Rights Council resolution 34/32, and also provided some observations and views on potential follow-up measures for further improvement of the implementation of the action plan.

4. The present report includes information provided by the High Commissioner in his report to the Human Rights Council (A/HRC/37/44) and follows a similar structure to that report. It also highlights information provided by the five Member States[2] who submitted inputs for the present report. The final section presents conclusions and observations on the way forward, building on the suggestions made by the High Commissioner in his report to the Human Rights Council.

II. Implementation of the action plan: information received from States

A. Constitutional and legislative frameworks

5. For the preparation of its report to the Human Rights Council (see paras. 2 and 3 above), OHCHR received comprehensive submissions from Argentina, Algeria, Australia, Croatia, Cuba, Denmark, Mauritius, Mongolia, Oman, Pakistan, Portugal, the Russian Federation, Turkey, the United Kingdom, the United States and Venezuela (Bolivarian Republic of) and the State of Palestine in relation to constitutional and legislative frameworks present in those countries pertaining to combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief. The full texts of the States' submissions can be consulted on the OHCHR website.[3]

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[1] Argentina, Algeria, Australia, Croatia, Cuba, Denmark, Italy, Mauritius, Mongolia, Oman, Pakistan, Portugal, Qatar, the Russian Federation, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela (Bolivarian Republic of) and the State of Palestine. The original texts are available for consultation on the OHCHR website, at https://adsdatabase.ohchr.org/SitePages/Anti-discrimination%20database.aspx.

[2] Austria, Croatia, Italy, Mexico and the United Kingdom. The original texts are available for consultation on the OHCHR website, at https://adsdatabase.ohchr.org/SitePages/Anti-discrimination%20database.aspx.

[3] See https://adsdatabase.ohchr.org/SitePages/Anti-discrimination%20database.aspx.

B. Extremism and radicalization

6. In his report, the High Commissioner noted that some States were addressing extremism and radicalization. He encouraged States to increase awareness and understanding of these phenomena, ensuring that relevant information would be easily available, widely disseminated and used to develop and improve policies aimed at combating them.

7. The High Commissioner took the opportunity to recall that measures taken to combat religious intolerance and violent extremism should reflect the principles of inclusiveness and participation, as well as be fully consistent with States' obligations under international human rights law. They should take gender into account and be adapted to the domestic context. Key concepts related to violent extremism should be clearly defined, particularly when they could potentially trigger measures that might impinge on human rights, for example when the terms "extremism" or "radicalization" are used to cover non-violent activity.[4]

C. Encouraging the creation of collaborative networks to build mutual understanding, promoting dialogue and inspiring constructive action towards shared policy goals and the pursuit of tangible outcomes, such as servicing projects in the fields of education, health, conflict prevention, employment, integration and media education[5]

8. In its contribution to the present report, Austria noted that interreligious dialogue at the national level was fostered by the Platform of Churches and Religious Communities, which had been established on the initiative of the Austrian religious communities themselves to discuss issues of common interest and reach agreed opinions. In October 2015, the Platform had drafted a joint declaration regarding freedom of religion, the protection of religious minorities and the rejection of violence in the name of religion. Austria also hosted the King Abdullah bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue in Vienna, an international organization representing all major world religions, whose mandate was to promote peace and reconciliation through dialogue among religious actors, policymakers and civil society.

9. Italy reported that the committee on hate, intolerance, xenophobia and racism had been set up in May 2016 and in July 2016 renamed the Jo Cox committee in remembrance of the United Kingdom Member of Parliament murdered on 16 June 2016. Chaired by the President, the committee is composed of one Member of Parliament for every political group, representatives of the Council of Europe, the United Nations, the Italian Statistics Institute, research centres and civic associations that investigate and campaign against hate speech, and experts. The committee approved its final report on 6 July 2017, making 56 recommendations to prevent and combat hatred addressed to all the relevant entities.

10. The recommendations address criminalizing hate campaigns (public insults, defamation or threats) directed against persons or groups; drawing on the experience of other countries while protecting the freedom of information on the Internet to

[4] Additional guidance is contained in the Secretary-General's Plan of Action to Prevent Violent Extremism (A/70/674) and the High Commissioner's report on best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism (A/HRC/33/29).

[5] Paragraph 7 (a) of General Assembly resolution 72/176.

evaluate the possibility of self-regulation by Internet platforms for the removal of online hate speech; making Internet providers and social network platforms collectively liable under law; and compelling them to take down without delay any content that has been flagged as offensive by users.

11. Italy also reported that in July 2017 the Ministry of Foreign Affairs and International Cooperation had hosted an international conference entitled "Protecting religious communities — investing in young people as leaders of new opportunities for encounters, dialogue and peaceful coexistence between peoples", organized in association with the Institute for International Political Studies. At the conference the establishment of an observatory on religious minorities in the world and on the respect for religious freedom was announced. The observatory, working as an advisory body to the Minister for Foreign Affairs and International Cooperation, involves representatives of the academic world and civil society. It is tasked with conducting surveys and analyses and monitoring the conditions of religious minorities in the world with a view to increasing their protection. It will propose awareness-raising activities and carry out its work in cooperation with Italy's diplomatic network. It will also monitor religious freedoms and issue early warnings of violations.

12. The United Kingdom reported that it was using education as a tool to challenge intolerance against religion and belief. A number of projects that worked with young people to tackle issues of prejudice and intolerance were being funded. Young people participating in the Anne Frank Trust programme had greatly increased their understanding of the Holocaust, hatred, discrimination, inequality and injustice. The Stand Up project addressed anti-Muslim and anti-Semitic bullying in schools by preventing it before it happened and changing attitudes.

D. Creating an appropriate mechanism within Governments to, inter alia, identify and address potential areas of tension between members of different religious communities and assisting with conflict prevention and mediation[6]

13. In its contribution to the present report, Austria reported that at the national level, the dialogue between the Government and the legally recognized churches and religious communities in Austria was well established and institutionalized and had given rise, for example, to a right to give opinions on draft laws and regulations and close cooperation in matters of education and health. The Federal Chancellery was also active in that field, hosting an interreligious dialogue every two years involving actors in the religious and sociopolitical ambits. In addition, the State Secretary had organized a round table with members of civil society and the major religious communities, as well as a networking and workshop event to support the fight against online hate speech. She had also endorsed the publication of guidelines against hate postings and the work of the platform "CounterACT!" run by non-governmental organizations.

14. In Mexico, legislation differentiates conflicts arising from religious intolerance, which must be resolved through the application of the law, with emphasis on dialogue and conciliation between the parties, from issues of discrimination on the basis of religious faith. The Secretariat of the Interior, a part of the executive branch of the Federal Government, is empowered to deal with and resolve conflicts resulting from religious intolerance. Between 2013 and 2017, the Secretariat of the Interior dealt with 51 cases relating to conflicts caused by religious intolerance.

[6] Paragraph 7 (b) of General Assembly resolution 72/176.

15. In the United Kingdom there is a cross-government working group on anti-Muslim hatred. The "Tell MAMA" service is funded by the Government to record anti-Muslim incidents and support victims. The Government also works closely with the Jewish community to tackle anti-Semitism and has taken action, including working with the Community Security Trust, to develop awareness-raising materials and providing funding for protective security measures. The Anne Frank Trust raises awareness about prejudice and intolerance, including anti-Semitism, among young people. The cross-government anti-Semitism working group has provided funds to ensure the security of Jewish faith schools, synagogues and communal buildings following concerns raised by the Jewish community.

E. Speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence[7]

16. Religious leaders are potentially very important human rights actors, and OHCHR has launched an initiative to engage religious leaders in speaking out against intolerance. The Beirut Declaration of March 2017 and the associated "Faith for Rights" framework[8] are addressed to faith-based actors, who are defined in a wide manner to include theistic, non-theistic, atheistic or other believers. The "Faith for Rights" framework provides 18 operative commitments through which faith-based actors have articulated how "Faith" can stand up for "Rights" more effectively so that both can enhance each other. On 6 and 7 December 2017, OHCHR and the Government of Morocco co-organized the Rabat+5 symposium on the follow-up to the Rabat Plan of Action,[9] providing a platform for the exchange practices and discussion of concrete "Faith for Rights" projects at the grass-roots level in various parts of the world.

17. The Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence that Could Lead to Atrocity Crimes,[10] launched by the Secretary-General of the United Nations in July 2017, is the first document to focus on the role of religious leaders and actors in preventing incitement to violence that could lead to atrocity crimes, and the first to develop context-specific regional strategies with that objective in mind. It was developed following over two years of intensive global and regional consultations organized by the Office on Genocide Prevention and the Responsibility to Protect, with the support of the International Dialogue Centre, the World Council of Churches and the Network for Religious and Traditional Peacemakers. A total of 232 religious leaders and actors from 77 countries participated in the consultations, and women made up at least 30 per cent of participants in all meetings. Implementation of the Plan of Action will contribute to the prevention of atrocity crimes, especially in areas affected by religious and sectarian tensions and violence, and enhance respect for, as well as protection and promotion of, human rights, including the rights to freedom of opinion and expression, freedom of religion or belief, and of peaceful assembly.

18. In the report of OHCHR to the Human Rights Council (A/HRC/37/44), Argentina, Algeria, Australia, Croatia, Denmark, Italy, Mongolia, Pakistan, Portugal, Turkey, the United Kingdom and the State of Palestine reported on comprehensive

[7] Paragraph 7 (e) of General Assembly resolution 72/176.

[8] See www.ohchr.org/EN/Issues/FreedomReligion/Pages/FaithForRights.aspx.

[9] For information concerning the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, adopted on 5 October 2012, see A/HRC/22/17/Add.4.

[10] www.un.org/en/genocideprevention/documents/Plan%20of%20Action%20Advanced%20Copy.pdf.

criminal frameworks prohibiting incitement to violence based on religion or belief. These frameworks often address issues of incitement to racial, national or religious hatred through speech or through written media and publications, including dissemination through the Internet. The laws generally also cover the establishment of or participation in organizations which urge violence or incite religious hatred and public meetings in this context, and the denial of war crimes, genocide and crimes against humanity as well as linkages between incitement and acts of terrorism.

19. In its contribution to the present report, Italy added that Act No. 115, adopted on 16 June 2016, introduced a penalty of 2 to 6 years' imprisonment in cases where propaganda, instigation and incitement were based "in whole or in part on denial of the Shoah or crimes of genocide, crimes against humanity and war crimes", as defined by the Statute of the International Criminal Court (articles 6, 7 and 8).

20. It should be recalled that where legal sanctions may be necessary to protect human beings against incitement to hatred, discrimination or acts of violence, three types of expression should be clearly distinguished: expression that constitutes a criminal offence; expression that is not criminally punishable but may justify civil or administrative sanctions; and expression that does not invoke any legal action but still raises concern in terms of tolerance and respect for the rights of others.

21. Legislation prohibiting incitement to racial, national and religious hatred should be specific and not overly broad in its scope and application, to be consistent with international standards on freedom of religion or belief and freedom of opinion and expression. States should also ensure that there is no impunity in the judicial system, where prosecution and adjudication of such crimes are undertaken.

22. The expert conclusions and recommendations of the Rabat Plan of Action are based on legislative patterns, judicial practices and policies. They provide some guidance to stakeholders, including the national legislatures and the judiciary, in implementing the international standards relating to the prohibition of incitement to racial, national and religious hatred. The Plan of Action outlines a six-part threshold test for expressions considered criminal offences: context; speaker; intent; content and form; extent of speech act; and likelihood, including imminence (see A/HRC/22/17/Add.4, appendix, para. 29).

F. Hate crimes

23. Various actions are being taken in States to address hate crimes at the domestic level through improved monitoring, recording and reporting of hate crimes, consolidated information-gathering and prevention, community outreach and legal prosecution.

24. In its contribution to the present report, Croatia reported that article 87 of the Criminal Code defines hate crime as a criminal offence committed on account of a person's race, colour, religion, national or ethnic origin, disability, gender, sexual orientation or gender identity. For some criminal offences, more severe sanctions are imposed if the crimes are qualified as hate crimes; in other cases, hatred is considered an aggravating circumstance. Less severe forms of unlawful and offensive behaviour in this context are punishable in accordance with the Act on Public Order and Peace Offenses.

25. The United Kingdom reported on the issuance of the Hate Crime Action Plan (2016), which focuses on reducing hate crime and intolerance, increasing reporting and improving support for victims. The plan is currently being updated and a new version will be published by October 2018. The Hate Crime Action Plan recognizes the importance of tackling intolerance against different faith groups. The United

Kingdom has supported work to map the levels of anti-Christian hate crime, anti-Semitism and anti-Muslim hatred and encourage reporting from different faith groups, recognizing that only one in four victims reports incidents to the police. A cross-government working group on anti-Muslim hatred was established in 2012, and "Tell MAMA", the first service to record anti-Muslim incidents and support victims, has received funding from 2011 to 2020. True Vision, the online third-party hate crime-reporting portal, is also key to tackling online hatred and provides resources across different faiths.

26. The United Kingdom noted that efforts were under way to collect the evidence needed to plan appropriate interventions. Since April 2016, police forces in England and Wales have been disaggregating religious hate crime data to reveal the true scale and nature of the problem. The first data will be available in late 2018.

27. In view of the action plan elaborated in General Assembly resolution 72/176, OHCHR works with States and other stakeholders on substantive support to implement international standards and practical measures at the national level. For example, OHCHR recently supported the organization of relevant training sessions and meetings in Lebanon, Morocco, Oman, Senegal and Tunisia, and with media professionals from the Russian Federation and Ukraine, and from West Africa.

G. Understanding the need to combat denigration and negative religious stereotyping of persons, and incitement to religious hatred, by strategizing and harmonizing actions at the local, national, regional and international levels through, inter alia, education and awareness-building[11]

28. In its contribution to the present report, Austria reported that it had been active in combating intolerance based on religion or belief within the framework of the Organization for Security and Cooperation in Europe (OSCE). In 2017, the Austrian Chair of OSCE made combating intolerance and discrimination, including based on religion or belief, a priority. Austria has continued to support several projects such as the development by the Office for Democratic Institutions and Human Rights of OSCE of a toolkit for the security of Jewish communities. The Austrian Chair organized various events on tolerance and non-discrimination to foster tolerance on an international level, including a Supplementary Human Dimension Meeting on freedom of religion or belief. The same topic was high on the agenda of the annual Human Dimension Implementation Meeting in Warsaw.

29. Austria noted the appointment of personal representatives of the Chairperson-in-Office on Tolerance and non-Discrimination to foster tolerance and dialogue in support of the Chair's agenda in three areas: combating anti-Semitism; combating intolerance and discrimination against Muslims; and combating racism, xenophobia and discrimination, also focusing on intolerance and discrimination against Christians and members of other religions. The personal representatives promote better coordination of participating States' efforts to effectively implement relevant ministerial and Permanent Council decisions in the field of tolerance and non-discrimination and conduct country visits such as to Bosnia and Herzegovina and Germany in May 2017, focusing on all forms of intolerance and discrimination, including gender aspects.

30. In Croatia, the prevention programme "Together Against Hate Speech" is aimed at promoting the culture of tolerance and non-violence and preventing all forms of hate speech as a socially unacceptable form of behaviour. In 2017 the project was

[11] Paragraph 7 (g) of General Assembly resolution 72/176.

implemented through messaging directed against hate speech, a public event is organized for students, young people and the general public; and a website "Hate speech — NO", created to promote the prevention of hate speech on the Internet and social media.

31. In Italy, the soon-to-be-established European Academy of Religion, promoted by the University of Bologna and the John XXIII Foundation for Religious Studies, under the patronage of the Ministry of Foreign Affairs and International Cooperation and with the support of the European Parliament, is aimed at fostering interdisciplinary studies and dialogue between researchers of all faiths and cultures.

32. In 2018, Italy assumed the presidency of the International Holocaust Remembrance Alliance (IHRA). Italy was appointed on the occasion of the IHRA plenary assembly in November 2016 in recognition of its contribution to the memory of the Shoah and its continuous commitment to strengthening knowledge through education, remembrance and research.

33. The States that submitted contributions to the report of OHCHR to the Human Rights Council (A/HRC/37/44) noted that religious intolerance, stigmatization, negative stereotyping and discrimination were combated through educational measures, youth forums, strategic plans and public information and media campaigns, including online platforms. Educational programmes and curricula which inculcate freedom of religion and belief and educational systems which provide education for religious minorities could assist in implementing the action plan. States were encouraged to consider human rights-based educational reform which provides for inclusion and recognition of all constituent parts of a society.

H. Recognizing that the open, constructive and respectful debate of ideas and interfaith and intercultural dialogue at the local, national and international levels can play a positive role in combating religious hatred, incitement and violence[12]

34. Interfaith and intercultural dialogue and exchange — local, national or international — are taking place in several countries. Ongoing and established dialogue among various faith communities serve as a forum for communication, discussion, networking, exchange and learning and provide for the open debate of ideas.

35. In its contribution to the present report, Austria reported that it had fostered interreligious dialogue for more than three decades by actively engaging academics, experts and religious leaders in efforts aimed at global trust-building and peaceful coexistence through dialogue. A task force on dialogue of cultures and religions had been established within the Federal Ministry for Europe, Integration and Foreign Affairs in 2007, charged, inter alia, with supporting dialogue platforms and interreligious civil society initiatives.

36. In Mexico, with regard to dialogue and on the occasion of the celebration of 21 September as the International Day of Peace, the National Commission for the Prevention of Discrimination participated in the prayer for peace of the Interreligious Council of Mexico in the Anglican Church of San Jerónimo, also attended by representatives of Anglican, Latter-day Saints, Methodist, Catholic, Zen Buddhist, Sikh and Hindu communities and churches. Mexico highlighted several commemorative events, seminars, celebrations and developments taking place in the Jewish, Muslim, Baha'i, Evangelical and Catholic religious communities of Mexico.

[12] Paragraph 7 (h) of General Assembly resolution 72/176.

37. The United Kingdom reported that it firmly supported interfaith dialogue as it increased understanding and respect between faith communities, which was central to the Government's integration policy.

I. Effective measures to ensure that public functionaries, in the conduct of their public duties, do not discriminate against an individual on the basis of religion or belief[13]

38. In its contribution to the present report, Austria reported that in the field of public sector employment, the Federal Government had taken steps to ensure non-discrimination in its employment policy, as the Federal Equal Treatment Act prohibited discrimination, including on the grounds of religion or ethnic origin. Any cases of discrimination could be dealt with in disciplinary proceedings, as well as proceedings before the Federal Equal Treatment Commission (and its four regional offices).

39. In the United Kingdom, the Human Rights Act 1998 places a duty on all public authorities to uphold and promote human rights in all actions, meaning that their policies, programmes and services should ensure that individuals are autonomous, safe and can participate in the decisions that affect their lives.

J. Fostering religious freedom and pluralism by promoting the ability of members of all religious communities to manifest their religion, and to contribute openly and on an equal footing to society[14]

40. In its contribution to the present report, Austria reported that in the field of integration, the Federal Ministry for Europe, Integration and Foreign Affairs, in cooperation with the Austrian Integration Fund, had launched the campaign "Together: Austria", which recruits "integration ambassadors" to visit schools, civil society organizations and workplaces. Those persons, all of whom had immigrated to Austria themselves and built a successful life there, served as role models, dispelled prejudice among native-born Austrians and promoted tolerance and peaceful coexistence in a diverse society.

41. Austria reported that in February 2015, the Federal Ministry for Europe, Integration and Foreign Affairs had established a hotline against discrimination and intolerance as a clearing house to enable those affected by discrimination on account of their ethnic background, origin or religion to quickly inform themselves about their rights. Through cooperation with the major existing anti-discrimination bodies in Austria, such as the Ombudsperson for Equal Treatment, as well as the Civil Courage and Anti-Racism Work (ZARA) organization, the hotline directed victims to the right point of contact.

42. In Croatia, article 130 of the Criminal Code prohibits violations of the freedom of a religious community operating in accordance with the law and denials or limitations of its rights to publicly hold religious services and to found and operate schools, institutions of learning, institutes and social or charitable institutions; it also protects the right to equality with other religious communities. Less severe forms of unlawful and offensive behaviour in this context are punishable according to article 5 of the Act on Public Order and Peace Offenses.

[13] Paragraph 8 (a) of General Assembly resolution 72/176.

[14] Paragraph 8 (b) of General Assembly resolution 72/176.

43. In Italy, the recent Constitutional Court judgment No. 67/2017 on article 2 of Veneto Regional Law No. 12/2016 deemed constitutionally unlawful the part of article 2 introducing the obligation to use the Italian language in agreements relating to common equipment for religious services. The court highlighted that Italy recognized the principle of freedom of religion as well as confessional pluralism. It stated that free exercise of worship was an essential aspect of freedom of religion and was equally applicable to all people and all religious denominations regardless of the conclusion of an agreement with the State. The opening of places of worship was under the protection of article 19 of the Constitution and could not be conditioned by the conclusion of a previous agreement.

44. In Mexico, "forms of religious intolerance" are considered to be any distinction, exclusion, restriction or preference based on religious grounds, which undermines the guarantees of protection by the State. Religious discrimination includes segregation, insult, coercion and hostile attitudes against any person or group of people for their religious beliefs. Such cases are handled by a decentralized body of the Federal Government, called the National Commission for the Prevention of Discrimination. The head of the executive body of the Commission is appointed by the President of Mexico from a shortlist presented by the Secretary of the Interior and composed of personalities from the social and academic sectors involved in the issues of discrimination. In 2011, the Commission established a religious diversity group made up of representatives of various Christian churches (Catholic, Evangelical, Light of the World) and religious communities (Jewish, Muslim, Buddhist, Baha'i) with the aim of fostering interreligious dialogue, following up on processes and situations of discrimination and supporting the various campaigns launched by the Commission.

45. Additionally, in the report of OHCHR to the Human Rights Council (A/HRC/37/44), some States reported that they were reviewing and amending laws to ensure increased equality among religious groups and communities in their societies. Others reported that they were addressing the ability of minorities, including religious minorities and adherents of Afrodescendant religions and beliefs, to practise their religion and contribute openly and on an equal footing to society.

K. Encouraging the representation and meaningful participation of individuals, irrespective of their religion, in all sectors of society[15]

46. Croatia reported cases of discrimination against individuals and religious groups The reported cases concern different treatment of smaller religious communities with regard to taxation of immovable property transfer, different legal status and corresponding rights between religious communities and religious associations, religious practice in schools, baptism certificate requirements by employers and the competence to provide religious teaching (catechism) in public kindergartens and schools. Reported cases of religious discrimination indicate the need to place greater efforts on finding a balance between exercising religious practice in public and respecting the rights of members of different religions, as well as raising the level of understanding of the customs and special requirements of members of religious communities that do not have a long tradition in Croatia.

[15] Paragraph 8 (c) of General Assembly resolution 72/176.

Belgium

[Original: English]
[9 April 2018]

Fiscal year: 2017

National currency and unit of measurement: millions of euros

Resource costs: Force groups	*(1) Strategic forces*	*(2) Land forces*	*(3) Naval forces*	*(4) Air forces*	*(5) Other military forces*	*(6) Central support administration and command*	*(7) United Nations peacekeeping*	*(8) Military assistance and cooperation*	*(9) Emergency aid to civilians*	*(10) Undistributed*	*(11) Total military expenditures*
1. Personnel	0.00	0.00	0.00	0.00	877.28	2 153.51	0.00	0.00	0.00	0.00	3 030.79
1.1 Conscripts	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1.2 Active military personnel	0.00	0.00	0.00	0.00	837.20	741.58	0.00	0.00	0.00	0.00	1 578.78
1.3 Reserves	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
1.4 Civilian personnel	0.00	0.00	0.00	0.00	40.08	206.09	0.00	0.00	0.00	0.00	246.17
1.5 Military pensions	0.00	0.00	0.00	0.00	0.00	1 205.84	0.00	0.00	0.00	0.00	1 205.84
2. Operations and maintenance	0.00	0.00	0.00	0.00	477.20	147.24	0.00	0.00	0.00	0.00	624.44
2.1 Materials for current use	0.00	0.00	0.00	0.00	142.05	2.32	0.00	0.00	0.00	0.00	144.37
2.2 Maintenance and repair	0.00	0.00	0.00	0.00	198.68	14.06	0.00	0.00	0.00	0.00	212.74
2.3 Purchased services	0.00	0.00	0.00	0.00	31.48	28.75	0.00	0.00	0.00	0.00	60.23
2.4 Other	0.00	0.00	0.00	0.00	104.99	102.11	0.00	0.00	0.00	0.00	207.10
3. Procurement and construction (investments)	0.00	0.00	0.00	0.00	227.71	11.51	0.00	0.00	0.00	0.00	239.22
3.1 Procurement	0.00	0.00	0.00	0.00	227.71	11.51	0.00	0.00	0.00	0.00	239.22
3.1.1 Aircraft and engines	0.00	0.00	0.00	0.00	166.61	0.00	0.00	0.00	0.00	0.00	166.61
3.1.2 Missiles, including Conventional warheads	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.1.3 Nuclear warheads and bombs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.1.4 Ships and boats	0.00	0.00	0.00	0.00	0.05	0.00	0.00	0.00	0.00	0.00	0.05
3.1.5 Armoured vehicles	0.00	0.00	0.00	0.00	2.23	0.00	0.00	0.00	0.00	0.00	2.23
3.1.6 Artillery	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.1.7 Other ordnance and ground force weapons	0.00	0.00	0.00	0.00	9.29	0.00	0.00	0.00	0.00	0.00	9.29
3.1.8 Ammunition	0.00	0.00	0.00	0.00	19.24	0.00	0.00	0.00	0.00	0.00	19.24

L. Adopting measures and policies to promote full respect for and protection of places of worship and religious sites, cemeteries and shrines and taking protective measures in cases where they are vulnerable to vandalism or destruction[16]

47. In its contribution to the present report, the United Kingdom noted that some places of worship had become increasingly vulnerable, leading to the introduction of the Places of Worship Security Funding Scheme. The scheme provided funding for security measures at places of worship that had experienced or were vulnerable to hate crime attacks, and at Jewish-faith schools and communal buildings. Following the Finsbury Park terrorist attack in June 2017, which had targeted members of the Muslim faith, further funding had been made available for security measures in vulnerable places of worship.

III. Activities undertaken by the Office of the High Commissioner for Human Rights in support of implementation of the action plan

48. In addition to the actions reflected above, OHCHR works on the various dimensions related to religious intolerance, including multiple discrimination, xenophobia, migration, freedom of religion or belief, religious profiling and incitement to racial, national or religious hatred.

49. The High Commissioner has spoken out in various public forums, including the Human Rights Council, and OHCHR has engaged with various stakeholders, including from the private sector. Upon request, the Office reviews draft anti-discrimination laws and constitutional amendments, and it supported several countries and specialized bodies in developing national action plans against racism.

50. OHCHR also manages a database (https://adsdatabase.ohchr.org) that includes information on these issues, and it develops guidelines and training manuals for judges and conducts training sessions related to the points in the action plan. Through its field presences, the Office has organized activities in a number of countries to counter xenophobia and hate speech (see para. 27 above).

51. The Rabat+5 symposium, co-organized by OHCHR, offered an opportunity for various stakeholders to engage with experts who had contributed to the elaboration of the Rabat Plan of Action and the 18 commitments on "Faith for Rights" (see para. 16 above) and to exchange experiences in the area of combating violence in the name of religion. The broad and diverse participation in the symposium reflected an interest in guidance and the relevance of the emerging standards in the context of faith and human rights. As human rights are by definition a multi-stakeholder exercise, the "Faith for Rights" framework is a good example of States, State religious authorities, faith-based and civil society organizations, national human rights institutions and individuals working together in the collaborative networks called for by the action plan.

IV. Conclusions

52. **The submissions received from States with regard to the action plan continue to show that Government actions to combat intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence**

[16] Paragraph 9 of General Assembly resolution 72/176.

Resource costs: Force groups	*(1) Strategic forces*	*(2) Land forces*	*(3) Naval forces*	*(4) Air forces*	*(5) Other military forces*	*(6) Central support administration and command*	*(7) United Nations peacekeeping*	*(8) Military assistance and cooperation*	*(9) Emergency aid to civilians*	*(10) Undistributed*	*(11) Total military expenditures*
3.1.9 Electronics and communications	0.00	0.00	0.00	0.00	3.73	1.12	0.00	0.00	0.00	0.00	4.85
3.1.10 Non-armoured vehicles	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.1.11 Other	0.00	0.00	0.00	0.00	26.56	10.39	0.00	0.00	0.00	0.00	36.95
3.2 Construction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.2.1 Air bases, airfields	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.2.2 Naval bases and facilities	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.2.3 Electronics facilities	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.2.4 Personnel facilities	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.2.5 Training facilities	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.2.6 Other	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4. Research and development	0.00	0.00	0.00	0.00	0.00	6.53	0.00	0.00	0.00	0.00	6.53
4.1 Basic and applied research	0.00	0.00	0.00	0.00	0.00	6.53	0.00	0.00	0.00	0.00	6.53
4.2 Development, testing and evaluation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5. Total (1+2+3+4)	**0.00**	**0.00**	**0.00**	**0.00**	**1 582.19**	**2 318.79**	**0.00**	**0.00**	**0.00**	**0.00**	**3 900.98**

and violence against, persons based on religion and belief are still largely constitutional and legislative in focus and nature. It is timely to stress the need for improved implementation of the extensive legislative frameworks that are already in place in many countries. It should be recognized that working together to enhance the implementation of existing legal regimes that protect individuals against discrimination and hate crimes, increase interfaith and intercultural efforts and expand human rights education is an important first step in combating incidents of intolerance, discrimination and violence against individuals on the basis of religion or belief. In line with the spirit and focus of General Assembly resolution 72/176 and the specifics of the action plan, greater emphasis should also be placed on the numerous practical actions which need to be taken by Governments and other stakeholders.

53. While constitutional enactments and legislative provisions are the bedrock of the promotion of equality and protection against discrimination, other elements of the action plan could be afforded greater attention. For instance, States could look to further supporting and funding grass-roots local and national projects aimed at increasing capacity-building, social cohesion, interfaith dialogues, youth forums and exchanges, as well as those aimed at increasing the participation of religious leaders and groups and affected communities. It will also be important to address religious profiling and ensure the representativeness of public administrations.

54. There is an urgent need to implement all parts of the action plan outlined in paragraphs 7 and 8 of General Assembly resolution 72/176 with equal focus and attention in order to address the complex issues of religious intolerance. For instance, no information was received from States relative to the following points of the action plan: training of government officials in effective outreach strategies (para. 7 (c)); encouraging the efforts of leaders to discuss within their communities the causes of discrimination, and evolving strategies to counter those causes (para. 7 (d)); speaking out against intolerance, including advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence (para. 7 (e)); encouraging the representation and meaningful participation of individuals, irrespective of their religion or belief, in all sectors of society (para. 8 (c)); and making a strong effort to counter religious profiling, which is understood to be the invidious use of religion as a criterion in conducting questioning, searches and other investigative law enforcement procedures (para. 8 (d)). In addition, the submissions of some States tend to reflect an emphasis on some paragraphs or elements of the action plan, but little or none on the others.

55. As stressed in the previous report to the General Assembly on this topic (A/72/381), there is also a need to improve the reporting profile in terms of the overall number of contributions received from States and the regional geographic participation. It should be noted that only five contributions were received from States for the preparation of the present report. There is indeed a full understanding of the workloads and capacities of States to respond to numerous requests for information and the fact that several States only recently submitted contributions for the report of the High Commissioner for Human Rights to the Human Rights Council (A/HRC/37/44) and the previous report of the Secretary-General to the General Assembly (A/72/381) within a few short months of one another. The rather low number of contributions suggests a need to consider the timing and sequencing of the resolutions of the Human Rights Council and the General Assembly on the action plan. Given that there are two separate annual reports on the very same action plan, to the Human Rights Council and the General Assembly, respectively, States could streamline these

parallel reporting processes either in terms of content or focus, or by adjusting the reporting time frames to a biannual period in order to give a better picture of how the action plan is being implemented worldwide. In this regard, Member States are encouraged to consider thematic reports that would focus on one or two specific points of the action plan.

56. There is also a need to communicate widely the practical elements of, as well as relevant actions taken by Member States to implement, the action plan with a view to raising awareness about the issues at stake. Awareness-raising campaigns or communications initiatives would be welcome, particularly those aimed at simplifying the language of the action plan and disseminating a concise separate publication in all regions and in all United Nations languages, and at a later point in other local languages. Member States could also consider holding general public briefings on the Istanbul Process for Combating Intolerance, Discrimination, and Incitement to Hatred and/or Violence on the Basis of Religion of Belief. The Special Rapporteur on freedom of religion or belief recently noted that six conferences have been held in various countries since the adoption of Human Rights Council resolution 16/18, to foster dialogue and experience-sharing (see A/72/365, paras. 55 and 79–81).

57. It will also be important to expand participation in the implementation of the action plan, to include civil society and other stakeholders. States may wish to consider inviting other stakeholders to report on their implementation of the action plan. Similarly, multiple forms of discrimination may affect individuals and groups. Women suffer from discrimination on the grounds of both gender and religion or belief, often because they are identifiable through manifestations of their faith, and they can bear the brunt of discrimination targeting their communities. Although it was specifically requested in the note verbale addressed to Member States, information was not received on the gender dimensions of issues of freedom of religion and belief. It would also be important to consider more closely how women are affected by such issues as religious profiling, representation and pluralism. Are they participating in the dialogues, collaborative networks and initiatives which States report are taking place? It would be helpful if future submissions made reference to these issues of multiple discrimination and the gender dimensions of discrimination on the basis of religion or belief.

58. Hate crimes are a troubling feature of contemporary forms of discrimination and many States reported on the actions they are taking in this area. Increased and improved monitoring, recording and reporting of hate crimes is needed. Data collection in this regard is critical and the measures that a number of States have taken to establish or designate dedicated authorities to document, track and analyse hate crimes, identify patterns and trends and improve access to justice and services for victims are welcome. Such measures should be enhanced. It is important to recall that States bear the primary obligation to protect victims of human rights violations as well as to prevent discrimination and violence against persons based on their religion or belief. State authorities must remain vigilant and respond immediately and appropriately to all hate crimes.

59. Religious intolerance, stigmatization, negative stereotyping and discrimination, in particular, are being addressed by States through public information and media campaigns and educational measures. The TOGETHER campaign,[17] the United Nations global campaign addressing negative perceptions, attitudes and narratives and thereby promoting respect, safety and dignity for

[17] See https://together.un.org/.

refugees and migrants, is such a campaign aimed at countering the rise in xenophobia and discrimination. While the campaign concerns refugees and migrants, it may also extend to issues of religion and belief, as many migrants and refugees may be, or are perceived to be, from specific religious groups and the intersectional nature of discrimination means that a person may face discrimination on many different grounds. TOGETHER includes many stakeholders — Member States, private sector, civil society representatives and individuals — and it reflects the collaborative networks foreseen in the action plan.

60. Interfaith and intercultural dialogue taking place at the local, national, regional and international levels was underlined in the submissions. Dialogue at all levels is fundamental to addressing issues of religious intolerance and the action plan stresses the importance of collaborative networks. The provisions made by reporting countries for communication and consultation channels between religious groups and communities and government authorities are welcome. Civil society, affected communities and all other interested stakeholders should be engaged as much as possible in the discussions and actions taken to foster inclusion and tolerance. Freedom of religion or belief flourishes where freedom of expression is respected. Similarly, freedom of expression is essential to creating an environment in which a constructive discussion about religious matters can be held. Interfaith and intercultural dialogues taking place at the local, national and regional levels, as noted in the submissions, are very welcome and should be extended and supported further.

61. As specified in paragraph 11 of General Assembly resolution 72/176, States are encouraged to consider providing updates on efforts made in this regard as part of their ongoing reporting to the Office of the High Commissioner for Human Rights. Member States are further encouraged to utilize the universal periodic review to fully address freedom of religion or belief and related issues. The use of this mechanism, including through information from national human rights institutions and civil society organizations, has great potential to improve the implementation of the action plan. It is encouraging to note that several States under review in 2016 and 2017 accepted their universal periodic review recommendations to implement Human Rights Council resolution 16/18 on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief.[18] Moreover, in March 2017, the Human Rights Council adopted thematic and country-specific resolutions which recall Council resolution 16/18 and its follow-up resolutions (resolution 34/8, twenty-sixth preambular paragraph) or encourage increasing efforts to further promote tolerance and peaceful coexistence in all sectors of society in accordance with Council resolution 16/18 and the Rabat Plan of Action (resolution 34/22, para. 14).

62. With a view to enhancing the gathering of consolidated information and furthering reporting, States might revisit the proposal made at the Durban Review Conference, held in Geneva from 20 to 24 April 2009, that an observatory be created to gather and organize information about discrimination, including on the basis of religion or belief. Trends and manifestations could be compiled and analysed, as well as legislation, policies, programmes and institutions which address them. The proposed observatory could be used to develop technical cooperation programmes and to better assess the situation. It could initially build on the existing OHCHR anti-racial discrimination database, developed in accordance with the Durban Programme of Action.

[18] See A/HRC/32/8, para. 140.21, A/HRC/32/10, para. 120.95, and A/HRC/32/15, para. 120.54.

63. Finally, it is important to highlight that the complex roots of contemporary discrimination, violence and intolerance should also be addressed. Extreme poverty and the resulting exclusion may fuel extremism and — potentially — violent responses. Less often acknowledged is the link between poverty and deprivation and the perpetuation of discriminatory ideas and practices. There are linkages between discrimination — including religious intolerance — and development and peace. In the context of the Sustainable Development Goals, it may indeed be useful to consider how the elements of the action plan such as participation, representation and collaborative networks could be leveraged to also address these issues under the framework of the Sustainable Development Goals.